

72-C-445

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS					
<p>UNITED STATES OF AMERICA, Plaintiff</p> <p>vs.</p> <p>216.00 Acres of land, more or less, Situate in Nowata County, State of Oklahoma, and A.H. HOWELL, et al and Unknown Owners, Defendants</p>				<p>For plaintiff:</p> <p>Nathan Graham Hubert A. Marlow 460 U. S. Courthouse Tulsa, Oklahoma 74103</p> <p>For defendant:</p> <p>Dudley H. Culp Horsley, Epton &amp; Culp P. O. Drawer 131 Wewoka, Oklahoma 74884 (for Elmer Howell, deceased) James E. Poe (M.J. Lee Const.Co.) 217 Pythian Bldg. &amp; A. H. Howell) Tulsa 74103</p>					
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 1-1-73		Clerk			No Fee				
J.S. 6 mailed 4-1-75		Marshal							
Basis of Action: Condemnation Nowata County		Docket fee							
		Witness fees							
Action arose at:		Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-4-72	Declaration of Taking, filed. r	
12-4-72	Complaint filed. r	
12-4-72	Notice, filed. r	
12-4-72	Motion for Order for Delivery of Possession, filed. r	
12-7-72	Order for Delivery of Possession, filed. (AEB-J)v	
1-2-73	Disclaimer of State of Okla., ex rel OTC, filed. rm	
12-29-72	Marshal's return on service of Notice and Order, filed. Served Ollie Bell Howell, A. H. Howell, Willie Albert Howell, Arthur Wayne Howell, Dorothy Darlene Howell Fuller, by serving Dudley Culp, atty, in Wewoka on 12/20/72; served William T. Lewis and LEWCO in Tucson on 12/11/72; served OTC in Okla. City on 12/15/72; served E. M. Lane in Nowata on 12/19/72; served Neenah Foundry, Shoaf & Lewis Oil Co., Bd. of Cty Commrs., Cty Treas., and Cty Assessor in Nowata on 12/27/72. (USM \$150.08) rm	
1-8-73	Motion to add party defendant, filed. ds	
1-10-73	Defendant's motion to dismiss or in lieu thereof to quash the return of service of summons, filed. (Defendant, Elmer Howell)	
1-10-73	Brief in support of motion to dismiss or in lieu thereof to quash the return of service of summons, filed. ds	
1-10-73	Ordered by the court that plaintiff respond to motion of defendant Howell to dismiss with a reply brief within ten days of this date. (AEB-J) ds	
1-15-73	Order to add party def., filed. Def. A. H. Howell, a/k/a Alvin Henry Leroy Howell, trustee for Trust A and Trust B, under will of Elmer Howell, dec., added. (AEB-J)_j rm	
1-16-73	Plaintiff's Response to Def.t's Motion to Dismiss or in Lieu Thereof to Quash the Return of Service of Summons, filed. v	
1-29-73	Defendant's reply brief to brief in support of plaintiff's response, filed. ds	
1-31-73	Return on Marshal's service, filed: served A. H. Howell, Lexington, Ok., 1-25-73. (USM \$18.32)g	
2-23-73	Govt's motion to add a party deft., filed. hm 029	
2-23-73	Order to Add a Party Defendant (M.J. Lee Construction Company), (AEB-J)jj	
3-5-73	U.S. Marshal's service returned and filed; served Marilyn Gardineer, Receptionist, M.J. Lee Const., Tulsa, Okla., 3-2-73 (USM fee \$7.92)jj	
3-8-73	Notice of Pre-Trial, filed. jj Pre-trial set for 4-3-73 at 2:00 P.M.	
4-5-73	Entry of appearance by James E. Poe for def. M. J. Lee Const.Co., filed.rm	
8-8-73	Order overruling motion to dismiss and order holding service of process directed to Hicks Epton null and void, filed. (AEB-J) ds <i>Exis mailed</i>	
8-16-74	Order appointing commissioners Rick Loewenherz, Chairman; Vol Boswell and John D. Condon, filed. (AEB-J) b copies mailed.	

D. C. 110A Rev. Civil Docket Continuation

Sheet #2

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-3-74	Case set for trial by Commissioners, 9:30 a.m., 11-11-74.g	
11-7-74	Instructions to Commissioners, filed. (AEB-J)v -copies mld. to commrs.	
11-8-74	Entry of appearance by James E. Poe on behalf of A. H. Howell, Trustee for Elmer Howell Trust, filed. g	
11-11-74	Oath of Office of Commissioners Loewenherz, Boswell, & Condon, filed.k	
1-24-75	Report of Commrs., filed. Compensation amounts to \$1,000.00 to the mineral interest, \$3,000.00 to the working interest, and \$10.00 to the oil payment interest. k	
2-11-75	Claim of Commissioners, filed.jj	
2-21-75	Order for payment to commissioners, filed, in amount of \$400.00 to Rick Loewenherz, \$200.00 to John D. Condon, and \$200.00 to Vol Boswell. (AEB-J)k <i>copy to US Atty.</i>	
<del>3-5</del> -75	Judgment filed and entered as to the entire estate.(AEB-J)jj	

DATE	PROCEEDINGS	Date Order or Judgment Note